



Response Under 37 CFR §1.116
Expedited Procedure
Examining Group 1600
PATENT APPLICATION
Serial No. 09/856,277
Attorney Docket No. 702-010802

#9
m.m.
5/15/03

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Group Art Unit 1616 :

In re application of :

Peter Josef Leo HESPEL :

Serial No. 09/856,277 :

Filed August 20, 2001 :

Examiner Sharmila S. Gollamudi :

**ORAL CREATINE-SUPPLEMENTATION
FOR TREATING OR PREVENTING
MUSCLE DISUSE SYNDROME**

Pittsburgh, Pennsylvania
May 7, 2003

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**NOTICE OF APPEAL FROM THE PRIMARY EXAMINER
TO THE BOARD OF PATENT APPEALS AND INTERFERENCES**

Mail Stop AF
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision dated January 7, 2003 of the Primary Examiner finally rejecting claims 9-20 . A supporting Appeal Brief will be filed in due course.

05/12/2003 RWD/DAF1 00000069 09856277

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I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to Commissioner for Patents, Alexandria, VA 22313-1450 on May 7, 2003

Linda C. Seger

(Typed Name of Person Mailing Paper)

Linda C. Seger
Signature

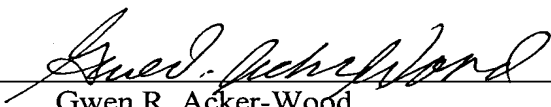
05/07/2003

Date

Pursuant to 37 C.F.R. §1.17(b), a check is enclosed herewith to cover the cost of filing the Notice of Appeal. The Commissioner for Patents is hereby authorized to charge any additional fees which may be required to Deposit Account No. 23-0650. Please refund any overpayment to Deposit Account No. 23-0650. One (1) original and two (2) copies of this Notice of Appeal are enclosed.

Respectfully submitted,

WEBB ZIESENHEIM LOGSDON
ORKIN & HANSON, P.C.

By 
Gwen R. Acker-Wood
Registration No. 51,027
Attorney for Applicant(s)
700 Koppers Building
436 Seventh Avenue
Pittsburgh, PA 15219-1818
Telephone: 412-471-8815
Facsimile: 412-471-4094
E-mail: webblaw@webblaw.com